

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CARNELL GARVIN,  
Plaintiff,

v.

C.A. No. 05-30052

D.A. SULLIVAN & SONS, INC.,  
Defendant/Third Party Plaintiff,  
CONSTRUCTION SAFETY SERVICES, INC.,  
Defendant,

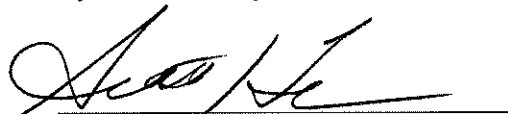
v.

A-DECK, INC.,  
Third-Party Defendant.

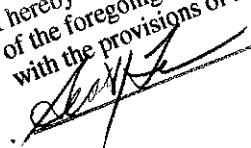
AFFIDAVIT OF PROOF OF SERVICE

I, Scott J. Tucker, attorney for the Defendant/Third-Party Plaintiff, D.A. Sullivan & Sons, Inc. certify that notice of service of process in the above-captioned case was made upon the Third-Party Defendant, and a Third-Party Summons and Third-Party Complaint were sent to A-Deck, Inc., 990 East Main Street, Norristown, Pennsylvania by Certified Mail, Return Receipt Requested and that said receipt is attached hereto, along with a copy of the Third-Party Summons.

Defendant/Third-Party Plaintiff,  
D. A. Sullivan & Sons, Inc.,  
By its Attorneys,



Scott J. Tucker, BBO#503940  
Tucker, Heifetz & Saltzman, LLP  
Three School Street  
Boston, MA 02108  
Tel. (617) 557-9696  
Fax. (617) 227-9191

I hereby certify that I made service  
of the foregoing document in accordance  
with the provisions of Fed. R. Civ. P. 5.  
 9-7-05

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

# UNITED STATES DISTRICT COURT

Massachusetts

District of

Springfield

PLAINTIFF

Carnell Garvin,

## THIRD PARTY SUMMONS IN A CIVIL ACTION

V. DEFENDANT AND THIRD PARTY PLAINTIFF

D.A. Sullivan & Sons, Inc. and  
Construction Safety Services, Inc.,

Case Number: 05cv30052

V. THIRD PARTY DEFENDANT

A-Deck, Inc.

To: Name and address of Third Party Defendant

A-Deck, Inc., 990 East Main Street, Norristown, PA

**YOU ARE HEREBY SUMMONED** and required to serve on

PLAINTIFF'S ATTORNEY (name and address)

Scott E. Charnas  
Manheimer & Charnas, LLP  
210 Commercial Street  
Boston, MA 02109

Andrew R. Duffy, Esquire  
Saltz, Mongeluzzi, Barrett & Bendesky, P.C.  
One Liberty Place -52nd Floor  
1650 Market Street  
Philadelphia, PA 19103

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY  
(name and address)

Scott J. Tucker  
Tucker, Heifetz & Saltzman, LLP  
Three School Street  
Boston, MA 02108

an answer to the third-party complaint which is served on you with this summons, within 20 days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

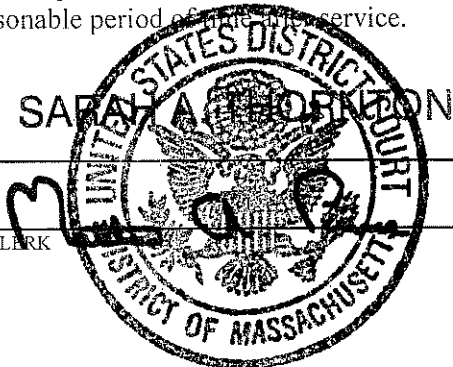
SARAH A. HORN


AUG 31 2005

CLERK

DATE

(By) DEPUTY CLERK



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature   <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>A-Deck, Inc.            990 East Main Street            Norristown, Pennsylvania 19401-4106</p>		<p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p>	
<p>2. Article Number            (Transfer from service label)</p> <p>TH&amp;S 7001 0320 0003 3484 1408</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes            If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>RECEIVED            SEP 06 2005</p>		<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540</p>			